

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

FLEETCOR TECHNOLOGIES, INC.,
et al.,

Defendants.

Civil Action No. 1:19-cv-5727-AT

PLAINTIFF’S MOTION TO SEAL

Pursuant to Rule 7 of the Federal Rules of Civil Procedure, Part II(J)(2)(e) of Appendix H to the Local Rules, Part III(f) of the Court’s Standing Order, and Section VI of the Protective Order in this action, Dkt. 39, Plaintiff Federal Trade Commission (“FTC”) hereby moves to seal certain Exhibits to the Declaration of Thomas Kost submitted in support of its motion for summary judgment. The exhibits in question have been marked “Confidential” pursuant to the Protective Order by Defendant FleetCor Technologies, Inc. (“FleetCor”), and by a limited number of third parties that produced documents pursuant to Rule 45 subpoenas. The FTC also moves to seal portions of the Declaration of Anne Miles, the FTC’s Memorandum of Law in Support of the Motion for Summary Judgment, and

Statement of Undisputed Material Facts that quote from, or disclose the contents of, those exhibits or other “Confidential” material produced pursuant to the Protective Order. Finally, the FTC respectfully moves to seal full deposition transcripts that were excerpted, attached to the Motion for Summary Judgment, and filed under seal, in order to satisfy Section III.h of the Court’s Standing Order.

As a result, the FTC submits these documents provisionally under seal pursuant to the process proscribed in Part II(J)(2)(e) of Appendix H to the Local Rules of the Local Rules. FleetCor has been served this Motion via the ECF system, and the FTC will serve the motion and brief in support on the relevant third-parties. Pursuant to Part II(J)(2)(e) of Appendix H to the Local Rules, those entities bear the burden of establishing good cause for sealing.

Respectfully submitted,

Dated: April 16, 2021

/s/ Christopher B. Leach

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